

Organization Conflict of Interest Bidding Ground Rules

ESFs will be awarded at three tiers: Enterprise, Program, and Project. The following explains the roles that are seen as inherently conflicted for award winners for each tier.

Enterprise Level:

A single ESF will be awarded to a prime and its subcontractors.

The prime and all of its subcontractors may not be primes or subcontractors at the Program or Project levels.

Program Level:

A multi-award ESF will be awarded, with subsequent task orders being competed.

A Prime and its subcontractors may only be on one team at the Program level.

A subcontractor cannot be on multiple teams at the Program level

A Prime at the Program level cannot be a subcontractor on another team at the Program level

A Prime at the Program level may not be a prime or subcontractor at the Project level.

A Subcontractor at the Program level may be a subcontractor on a single team at the Project level.

Project Level:

A multi-award ESF will be awarded, with subsequent task orders being competed.

A Prime and its subcontractors may only be on one team at the Project level.

A subcontractor cannot be on multiple teams at the Project level

A Prime at the Project level may not be a prime or subcontractor at the Program level.

A Subcontractor at the Project level may be a subcontractor on a single team at the Program level.

Organization Conflict of Interest Bidding Ground Rules

Tables 1-3 show the acceptable and unacceptable roles for ESF prime and subcontractor awardees.

Table 1 Enterprise Awardees

If the Offer is a:	Can the Offeror be an Enterprise Prime?	Can the Offeror be an Enterprise Subcontractor?
Enterprise Prime	Yes	No
Enterprise Subcontractor	No	Yes
Program Prime	No	No
Program Subcontractor	No	No
Project Prime	No	No
Project Subcontractor	No	No

Table 2 Program Awardees

If the Offer is a:	Can the Offeror be a Program Prime?	Can the Offeror be a Program Subcontractor?
Enterprise Prime	No	No
Enterprise Subcontractor	No	No
Program Prime	Yes	No
Program Subcontractor	No	Yes – one team only
Project Prime	No	No
Project Subcontractor	No	Yes - one team only

Table 3 Project Awardees

If the Offeror is a:	Can the Offeror be a Project Prime?	Can the Offeror be a Project Subcontractor?
Enterprise Prime	No	No
Enterprise Subcontractor	No	No
Program Prime	No	No
Program Subcontractor	No	Yes – one team only
Project Prime	Yes	No
Project Subcontractor	No	Yes –one team only

Organization Conflict of Interest Bidding Ground Rules

Any questions or requests for deviations must be discussed with the Contracting Office prior to submitting a work order proposal.

For further clarification:

The Multi-tiered Framework for Systems Engineering and Integration's Attachment J-53: Organizational Conflicts of Interest (OCIs) Ground Rules incorporated into all awarded contracts under the framework is intended to establish the guidelines for avoiding OCIs that may arise in bidding or performing on work orders issued under the framework at any tier. Specifically, Attachment J-53 is intended to avoid OCIs that may otherwise influence a contractor's judgment or result in an unfair competitive advantage.

Attachment J-53 is not intended to apply to proprietary or commercially available hardware, software or other proprietary or relevant commercial expertise available from single, limited or best in class providers. In such cases where the proprietary or commercial hardware, software or other proprietary or relevant commercial expertise is uniquely or minimally owned and that which may be necessary for some or all Offerors to propose as part of a specific work order solution in order to ensure the continuity of and to be consistent with pre-existing US Census Bureau information technology architecture standards, platforms, etc., shall not be considered a conflict of interest under Attachment J-53.

Offerors shall identify, as applicable, in work order proposals submitted to the Government, any such proprietary or commercially available hardware, software or other proprietary or relevant commercial expertise necessary for the proposed solution. In addition and as applicable to specific work order proposals, Offerors shall provide an explanation and the rationale as to why the proprietary or commercially available hardware, software or other proprietary or commercially relevant expertise fits the circumstances described above. The explanation and rationale provided by the Offeror shall contain sufficient detail so as to allow the work order Contracting Officer the ability to render a determination as to whether or not a conflict of interest actually exists and to take steps to avoid, neutralize or mitigate the conflict, should one exist.